Supreme Court—General Term.

Disputed Judgeship—Cerious Scree in Court—The Bold Stand of Mr. Davies—Judicial

some was crowded to excess. Ex. judges, hwyers of minerce, hwyers of every degree, were in attendance, miners to witness the result of the disputed judgeship. At about twenty minutes before cloven o'clock (the core of epening), Mr. H. E. Davies, who set upon the how of epaning), Mr. H. E. Davies, who set upon the beach the previous day, entered by the side door and took his seat as a member of the judiciary. By degrees the room became more and more crowded, until at length none others could be admitted. Judge Bavies occupied himself reading the HERALD, and the spectators—who had now thronged as numerously as en any of the recent trials against city officials, or even at that of Haker for the Stanwix Hall howleids—became uneasy, anxious, nolsy; a din of values was heard throughout the room, which resembled more the impatience of an audience at the Broadway or Barton's theatre before the raising of the curtain, than the interior of a court of justice. Some said that the feart of Geograf Term would be opened in another room, Bourt of General Term would be opened in another room, and others positively asserted that the deputy sheriff had in his pocket for the arrest of Mr. Davies, and the question of right to the disputed judgeship won

coles,) the whispering magnified thate applause and stamping of feet. The officers in attendance cried "silence," but the authority was unheeded, and the palause was renewed with greater vigor. Judge Davies (addressing the officers,) "Officers will

Mr. HARRY BERTHOLF, crier of the court, but incotiously bled the "Chief Justice," came in and cried out with content voice, "Gentlemen must keep silence in the me, Harry.")

med, and amid solemn silence Judges Roosevelt, the and Peabody entered, and ascended the bench The Presiding Justice (Roosevelt) directed the crier to sen the Court, which was accordingly done in due form.

Judge Roosevelt then said-Crier, adjourn the Court med this cay week.

Harry Bartholf—Hear ye! Hear ye! all manner of per sees attending this General Term of the Suprame Court of the city and county of New York, you may depart, for the court stands adjourned till this day week. (fur-

see laughter, shouts of decision, of triumph and con spt, mingled with applause, followed this announce

Barry (the indomitable crier) still evied out "Gentleman must come to order." But the Judges had left the bench, and there being no Court to command decorain as to restrain the chilition of feeling, it got tree wont is laughter and applicate.

Judge Rouseveit went down stairs, and took his seat at thembers. Judge Davies, ruthing daunted by the case d'état, occupied the bench in the other chambers, and head two or three ex parts motions; but there was no clerk in attendance to record the proceedings, and no effect process to wait upon the court.

We understand that the shoriff, under advice of council, will issue all processes, warrants and orders for armet made by Judge Davies.

The following is the judgment of the Court of Appeals, upon which Mr. Davies rests his claims to the dispated Judgship:—

cast made by Judge Davies.

The following is the judgment of the Court of Appeals, soon which Mr. Davies rests his claims to the dispated beinghip:—

The Foolic of the State of New York on the velation of Heavy E. Davies, plaintiffs, against Edward P. Coules, befondands.—Judgment.—February 12, 1856.—This cause lawing been brought into the Court of Appeals on an appeal from the judgment therein, in the Supreme Court, as the Ilst day of December, A. D. 1856, in favor of the said plaintiffs apon his demurrer in this action, and upon he further judgment that the said defendant has not natured in or crustryed the office of a Justice of the Supreme Court, and that under and by virtue of the appintment is the complaint mentioned, was entitled to hold meh office and perform the duties thereof until the Elst key of December, 1857, unless the vacancy should be some raupplied by an election to be held according to have, and the appeal having been heard, and by the said Court of Appeals duly considered, it was by the said Court adjudged that the judgment solvessid be in all things reversed, annulled, and altogether keld for nothing; and it was further ordered and adjudged that judgment upon the demurrer joiced in this action in the said Supreme Court, be, and it was thereby, rendered in favor of said peantiffs; and that the said defendant be outself room the effect of Justice of the Supreme Court, mentioned in the esseptiant in this action; and it was also ordered and adjudged that limity E. Davies, named in said complaint was a said he was thereby, declared to be entitled to the esseptial in this action; and it was also ordered and adjudged that limity E. Davies, named in said complaint were absolute only if the said defendant should omit to avail himself of the leave to amont thereinafter monbiened; but leave was thereby given to the said defendant be care absolute only if the said septeme Court, and adjudged that the said defendant, of the filling of the said supreme Court, and an interest of the alternative in such eas

MORE LETTERS RELATIVE TO THE DISPUTED JUDGE .

JANUARY 31, 1856. In the case of the People in the relation of Beary E. Davies against Edward P. Cowles, the Court of Appeals has desided that any vacancy existing in the of

Appeals has decided that any vacancy existing in the of sice of Justice of the Supreme Court on the election day, should then be filled by the people, without reference to the question whether any formal notice was or could have been given.

The attention of the Court was called to the known test-not stated in the pleadings—that there were two vacancies, and that according to other statements on the record, the ballots of the four candidates, (Mesers, Davies, Baiton, Leonard and Peabody,) were, by an inevitable notestly, as well as by the express provision of the occion law, void for uncertainty in not designating the particular vacancy which the electors intended to fill.

Leave to withdraw the demutrer and to answer was granted on my motion, in despite of a strenuous opposition by Mr. Hill, the connect for Mr. Pavies. It was saly for the purpose of bringing this new view of the case before the centre that J asked leave to answer; and certainly my motion ought not to have been granted if the Court had not deemed my position sound.

A fuller investigation has elicited the fact that Mr. Davies' complaint was also erroneous in its statements as to the form of the ballots. Those given for himself, Mr. Hillon and Mr. Leonard are void; those given for pouvith perfect precision designated the vacancy intended to be filled.

Under these circumstances, it is clear to my mind that

to be filled.

Under these circumstances, it is clear to my mind that you ought to claim the office, and to adopt the bat means which discumstances may place in your power to presure a conclusive judicial determination upon it without delay.

without delay.

This could be done with the groatest case and promptitude, if Mr. Cowies would avail humself of the liberty given, and put in an answer.

It is probable that this will not be done. Mr. Davies claims that by some implied compact existing between himself and Mr. Cowies, that gentlessan cannot, without a violation of honor, do any act to disturb the judgment which has been pronounced, and in this Mr. Cowies may continue.

micable arrangement, like that which led to a t by the Court of Appeals, upon an untrue state-the facts, binds no one but the parties. Your t the office, and the right of the public to have it by the person legally elected to fill it, remain

Should Mr. Davies enter the office, a quo warranto pro-mented upon your relation against him, would test the question; and n case he should facilitate proceedings, as fir. Cowles did a declation might be obtained very early a the next term of the Court of Appeale. It, on the contrary, Mr. Davies should leave you to speed the case a you best might, without aid from him, two or three years would probably chapse before a final judgmoot neads be obtained.

be obtained.

for this fact, that Mr. Davice seeks to
the present judgment, and to avoid that full
tgation of the real merits to which an
r from Mr. Cowies would inevisably
I would have entertained the most perfect consin his readlness promptly to meet and test your
That fact may justify an apprehension that, if
ted to take the seat, he will not aid in accelerating

permitted to take the seat, he will not aid in accelerating your proceedings.

It may, therefore, be found that a speedy decision cannot be had except by continuing Mr. Davies in the attitude of a plaintiff. In that event he will, of course, be desirous to accelerate proceedings. You can then coperate with him in that object, and thus the question may be brought to issue at as early a period as if he had set it in the present action.

It only remains to be considered how this is to be done. I would advise you to place before the Justices of this district evidence showing the mildity of your beliots and the defective character of those given for Mr. Davies. These facts coupled with the notorious one that there were two vacancies, viewed in the light of Judge Johnson's prevailing opinion in the Court of Appeals, reader your title to the effice so clear that no doubt can well must concerning it; and consequently, as the Justices must, as necessable, determine whom they will recognize

as their assective, it will, in my judgment, become their day to recognize you.

This will not involve any disobedience to the judgment of the Court of Appeals. That judgment binds only the parties to it. It is based on a neutrinous case, and is cept on bot merely by the content of the parties, contrary to the clear intimation of the court itself, that if ought to be opened for a re-traitement of the case according to the truth. I am, dear sir, yours respectively.

How. Charles A. Pelskoy.

CH. O'CON'R.

Mr. Peabedy extered on his duties on the 4th day of February, and on the same day addressed a letter to Mr. Davies, which we give below. No answer has been received from Mr. Davies, but on the 9th of February he tack his seat.

A delay of sixty days would probably determine the question in the Court of Appeals:

New Your, Feb. 4, 1866.

My Duan Sim—I am very decircus to bring to a judicial determination, as early as possible, our conflicting claims to a seat on the bench of the Supreme Court, and I will most certainly do all in my power to expedite a suit you may institute to that end. Mr. O'Conor, who will act as my counsel in the matter, entertains the same auxious desire to arrive at a decision in the Court of last resort, at the carliest moment practicable, and we venture to predict that, with the hearty co-operation on your part which we premise ourselves, such a suit may be pressed to trial in Special and General terms of the Supreme Court (which will, I am sure, arrange its business and terms to speed it on) within the present month, and arrive at the Court of Appeals in time for hearing and decision there early in the next term of that Court, which will set in March.

I have no deut that regard for the pu'lic interest, which will see immedia ely to receive from you assurance that no moment of time shall be lost.

I am, dear Sir, with great respect, your ob't serv't, C. A. PEABODY.

precided the desirabant from making his motion, and the preliminary object on must be overruled and the motion to proceed. Costs to abide the event of the motion.

Superior Court.—Part 1.

Enfore Judge Woodruff.

Fim. 13.—Sarah, S. Smith against the New Fork and Harlem Radirond Company.—The plaintiff, as widow and administratrix, sued for damages for the death of her husband, as alleged by the negligence of the company as servants. The decased was an engine driver, in the employ of the New Haren Radirond Company, and on the employ of the New Haren Radirond Company, and on the employ of the new diving a passenger train along that pertion of the road which belongs to the Harlem Company, at Melrose, when, is consequence of the masplasing of a short switch, the New Haven train was run off the track, and he was killed.

The desondants, by their answer, denied the negligence of their servants, and alleged reckless driving on the part of the decased. They further set up, that the defendant, well knowing all the hazard, undertook the office of a driver at his own risk, and that they were not liable, and of this point they dearned to avail themselves as if it had been taken by way of demurrer.

For the plaintiff the witnesses positively deposed that the white flag, or signal of security, was exhibited, and it seemed that Lawless, the switchman, had samitted that it was an unstake, and the switch had been placed on the side instead of on the main track. This man was not produced by either side.

The firmans who was on the train at the time, but exaped, stated that they were not going at any greater rate than ten or twelve miles an hour, and that Lawless had run up to try and rectify his error, but was too laste. It was also shown that the switch used was a common short switch, and it was contended that these were not so safe as those now alroost universally adopted, and termed the frog and guard switch. Upon this the toylowed and accepted that the damages are not less than ten thousand dollars, claimed five thousand, und

United States Circuit Court.

United States Circuit Court.

Before Sion, Judge Ingersoll.

Fre. 13.—At the sitting of the Court this morning, the Grand Jury brought in bills of indictment against John Woods, for an assault with Intent to kill Samuel P. McKnight, and also against John Soure for a lice assault upon John F. Johnson. Both offences are alledged to have been committed on board the brig Wandering Jew. The Grand Jury were then discharget, with the thanks of the Court.

Police Intelligence.
THIRVES DETECTED IN A BOLD GAME—ARREST OF
THE BINGLEADERS AND RECOVERY OF A LARGE
AMOUNT OF STOLEN PROPERTY.

For several weeks past there has existed in the upper The second of the second of the parties, convey to the parties of the parties of

Police of the entire district.

REFUSING TO PAY.

Frederick Hodly and Lawrence Stopling were taken into enstedy by officer Birmingham, of the Thirteenth ward police, on a charge of obtaining a bill of goods to the amount of \$27 from Isaac Oppenheim, of No. 83 avenue it, and then refusing to pay for the same. The complainant alleges that he sent his errand boy with the goods to No. 68 Willet street, as directed by Hody, and told the lad not to leave the parcel until he had roser of payment for the same. The boy states that on his handing the bundle over to Stopling, the latter refused to cash the bill, and ordered him out of the place without giving him back the goods; that when the youth persisted in demanding the return of the parcel Stypling presented a pistol at his head, and told him he would shot him if he would not make himself scarce; and that alraid his life was in danger, the boy had to leave the goods in the possession of the accused, contrary to the orders of his employer. The prisoners were held to answer the charge preferred against them, by Justice Brennan.

ALLEGED ATTEMPT AT ROBERRY.

ALLEGED ATTEMPT AT HOBBERY. Robbin Jones was taken into custody, by the Fourth ward police, on Wednerday night, charged with having, in company with others, attempted to commit highway robbery upon the person of James Hamilton, a resident of Cannon street. The complainant alleges that while of Cannon street. The complainant alleges that while he was in Water street, on the night in question, he was met by a gang of men who very argently requested him to stand treat. The complainant, however, would not accode to their demand, and was endeavoring to give his newly made acquaintaness the slip, when he was assumed, knocked down, and, as he says, brustly fejured by these men. His cries of "Watch watch!" attracted the attention of officer Brader, of the Fourth ward pilles, who luckily was near at hand, and the thieres seeing the mear approach of the policenan troth to their heets. Jones was captured, and on being takes to the Tomes Folice Court was locked up for trial. Handton, during the scuttle, held his gold watch and chain in his hand, for four the rescals would snatch it oway from him.

CHARGE OF ROBERRY.

Thes. Gillen, Mary Gillen and Anne Leary, were taken into custody by Lieutenant Cameron and others, of the into custody by Lieutemant Cameron and others, of the Eleventh ward police, on charge of robbery. The necused, it is alleged, enticed a pedlar, named Soloman Burnett, into their house in Lewis, near hight streets, and then picking a quarrel with him, Thomas Gillen, it is charged caught hold of the pedlar's box of jewelry, and ran of with the same. The complainant says he was haid fast in the arms of the tomale prisoners, who, by this means succeeded in allowing the nade prisoner to escape from the house. Gillen was captured very soon afterwards by effect Hanratey, but the box of jewelry, which is valued at \$300, has not since been heard of. The prisoners were all taken before Justice Breanan, at the Escaping Market Police Court, where they were committeed for examination.

ALLEGED THEFT OF A GOLD WATCH AND CHAIN. Iwo young men, named James McManus and Thomas legs gold waten and exam, valued at \$100, from Freeness that while he was seeing the disphant in the Fourth ward he came across the prisoners, whose politic attentions to him, a stranger in Gotham, ended in the leaking of a fine gold watch and chain. Mr. Brady charges Murphy and McManus with the theft, but they deny all knowledge of the whereabouts of the jewelry. The accused were committed for examination by Justice Welsh.

Dedication of the New House of Industry on the Five Points.

A LARGE AUDIENCE PRESENT—SINGING OF THE CHILDREN—CLERICAL ADDRESSES. This new House of Refuge and Industry, which has been so successfully reared up under the care of the Reverend Doctor and Mrs. Pease, was dedicated yesterday

was densely crowded with ladies and gentlemen, who are, and have been interested in the completing of the charity. A number of clergymen were present, in-cluding Rev. Dr. Bedell, Rev. Dr. Mahlenberg, Rev. Messrs. Cuyler, Thompson, Adams and Dewitt.

A portion of the children who are cared for in the house, eccupied elevated seats at one end of the chapel,

A portion of the children who are cared for in the house, occupied elevated seats at one end of the chapel, and presented a most healthy and cleanly appearance.

The exeguiese commenced about half past eleven elected by the children singing a hymn. At this point of the proceedings "Grany Kate" appeared, and made a few remarks on the conduct of the legislators of New York and the treatees of the Brick Church property. She then retired amidst the sympathy of the audience for her melancholy infirmity.

Rev. Dr. Municosurae than made a prayer.

Ancumain Russma, Esq., Fresident of the institution, then read the statement of the trustees, which contained a description of the building and the objects for which it was instituted. Half the cost of it had been only paid as yet, sad a sum of \$8.000 was now required to discharge debts outstanding, and \$5.000 more were yet wanted to finish the house. An earnest appeal was then made for aid, to the people, and a high compliment paid to Mr. and Mrs. Peac, the mater and matron of the house.

The children chaunted a hymn, and the 124th Fasim, with a pertion of the Gospel of Saint Matthew, were read by Sev. Dr. Bedell.

During the proceedings, Psalm xxxiv, was given, as an expression of the Gospel of Saint Matthew, were read as instruction for Christians engaged in the good work.

Rev. Dr. Munivague made a prayer.

Rev. Mr. Cuyler then accressed the andience in feeling terms, showing the great utility of the house in rescaining the young from degradation in this life and the death of the soul in the next. The institution should not be permitted to fail from want of sympathy, or indifference of the people. Indifference was what it had to dread most. Let the house go dewn or wither away, and the hopes for religious instruction, food, clothing and shelter of five hindred children the with it. Their hope for coming on in life would then be destroyed.

Rev. Jos. P. Trombon followed Mr. Cuyler after the children had channet another hypor. His remarks were very forcible in aid of the c

of the state of the Five Points eleven years ago were most forcible.

The hymn "Sunday School" was then given by the children.

Rev. Dr. Oscoon them spoke, and made a strong appeal in aid of the charity. The voice of God had spoken to impress the holiness of their duty in aiding the work, on the minds of the people pressunt. This institution has its fundation in the hig set practical economy. It has the casin to conduct not only its affairs economically but to teach its immates the importance of economical habits. This is esteemed of weight next to the social and religious advantages proposed to the benefisiaries of the institution.

Mr. Tromas Eris, Assistant Superintendent, made the next address. This, he raid, was the proudest day of his life. Six years ago, as he cassed through the vicility where the present editice stood, he heard the singing of sacred soogs, and wondered that such sounds should here greet his ear. He inquired, and found that a company of men and women, in the upper walks of life, were taking here the primal steps for religious reform. That good work had progressed. Hundreds of poor, naked, and starving wretches had been samplied with clothing and food. Facilities to ears something by honest industry were afforded these who had not knewn honest labor for years. There had been dark hours in the prosessention of their enterprise, but a beneticent public had aided them in their work. Upon the spot water they were now convened, darkest crime had been committed, and whilest and most degrading and inhuran revery had prevailed. A new edifice was there now, and new scence and rew songs. He hoped it would be blessed by God, and that human aid would never be wanted to carry on the work.

Mr. L. M. Peass, the general superintendent, followed in a few brief and effective closing remarks. He had never belove, he said, been so situated that he was completely at a loss what to say, but at present his heart was too full of grafittude for utterance. He invited all present to look through the building and p

Commissioners of Emigration.

The Board met on Wednesdayat the usual hour, and Mr. Kingy introduced a series of resolutions, the parport of which was, to se'l the buildings of the commi

on now lecated in Worth street, and remove the offices and business of the Department to Castle Garden, where Mr. KENNEY was opposed to the resolutions, as the removal would have the effect of bringing a number of

moval would have the effect of bringing a number of paupers and others socking relief on the premises, and thereby conflict with the rules, which now prohibited the emigrant from staying within the walls. The recolutions were, however, passed.

Mr. Commiss moved that the office of Vice President be abolished, as it was of no use, and the duties of that of the could as well be transacted by the clerks. After a long debate this was declared out of order, as the office could not be abolished without an amendment to the rules.

An election of officers for the ensuing year was then held, which resulted in the re-election of the old officers, as follows:—

Julian C. Verplanck, President.
Captain E. Crabtice, Vice President.
Some other routine business was transacted, after which the Board adjourned.

No. inmates in institution, Ward's Island. 1,955 Marine Hospital. 148

The Weather.

TO THE EDITOR OF THE HERALD.

The temperature this morning, at 8 and 7 o'clock, has fallen to within three degrees of zero, and has not risen above fourteen dogress during the day. The cold term, which commenced on the 28th December, is now in its lifteth day of continuence.

It will be seen by comparing this memorands with that

If will be seen by comparing this memorands with that of the 7th, published on the merning of the 8th, that the circles sustain the measure of 360 hours, with the divisions into equal sections, clearly and emolusively. I said in that memorands that the third circle of 360 hours would end on the 9th, between the hours of and 7A. M. From before one o'clock of the morning of the 2th till past 3 the temperature was equilibrished from 21 to 22 degrees, and as the great circle was being completed snow tell from 5 to 10 A. M.—thus the lourth great circle was then commeaced. On Monday, the 11th, shortly after the first forty-five hour section of the fourth circle was reached, the temperature rose, and at 1 P. M. of that day reached il degrees, and somtimed above the freezing point for twonty-seven heurs, with the exception of the hour of 7A. M. of Theaday, when it was at 32 degrees. At the termination of this twenty-seven hours of high temperature some squal came over, and the temperature fell suddenly and continued going downward until this morning at 7 o'clock, when it reached within three degrees of zero. It will be seen by counting the hours forward, from between 6 and 7 A. M. o' 10.0 o'll of the fourth great circle was being counting the hours forward to every forty-five hour section, counting from between 12 P. M. of pedically and IA. M. of to-day, as imperiant points in the fourth great direle.

Biocontex Henoure, Feb. 13, 1850.

Deep Method of the circle was being counting the first direction.

DUEL WITH REVOLVERS IN New ORLEANS.—It will be remembered that about two months age a man named Bell, from Cahawis, Aia., was arrested in tube city on a charge of having fired at and seriously wounded his brother-in-law, fire quarter. After being taken to Cahawas, a hostile message passed between the parties, and they came to Ioulaisan for the purpose of wiping out old secrets according to "the code." Study last was the time fixed for the meeting, a spot near Lake Pontchartrain the place, and revolvers at twenty paces formed a portion of the appointments. It is said that they fired five shots each Quaries received one shot in his right ear, another in his left cheek, a third in his shouther, and a fourth passed through his hat. The shot which Bell received was one in the upper and posterior portion of his right hip. None of the wounds are expected to prove data! Vesterday the parties returned to Alabama, accompanied by their respective friends,—New Officials Ficupose, Fig. 6. DUEL WITH REVOLVERS IN NEW ORLEANS.-IL

Cam or Diranticide.—Coroner Connery was called upon to hold an inquest yesterday at the Seventh ward station house, upon the body of a child recently born, which was found in the pivy of house No. 418 Cherry street. From the testimony adduced, it appeared that on Wednesday night some of the occupants of the house above meationed heard the cries of an infant proceeding from the privy. They became alarmed, and sent word to the Seventh ward station house, whereupon lieutenant Blair proceeded to the spot, and succeeded, after a great deal of exertion, in rescuing the infant from the sink. The little sufferer was immediately placed in charge of Dr. Lodge, who did all that was within his power to revive the unfortunate babe, but in vain, as the infant died in about an hour after it was taken out of the privy. Coroner Connery and Lecutenant Blair then proceeded to find, if possible, the mother of the deceased, and by a careful examination traced marks of blood from the privy door to the recome of Mrs. Staff, where a woman named Mary Shine had, from the appearance of things in the room, given birth to a child. The officer questioned the woman relative to the fix of the infant, and not getting say satisfactory answers, it was thought proper by the Coroner to commit her to prison until the conclusion of the inquisition. From the testimony of several witnesses residing in the house, it was sposered that the prisoner had been circuite, and had given birth to a child; further, that she had been only about four months in this country, and had formerly readed at Rathreale county, Limerick, Ireland. From the evidence of the doctor, it was shown that the child was full grown, and had ded from exhaustion, coassequent from being thrown into the privy. The jury in this case, after due delibersition, rendered a vesicia of "Deagh by infanticide, at the hands of its mother, Mary thine." The accused was held to await the action of the Grand Jury, now in session.

A CRILD KRILED W AN OVER-DOSE OF RUM—No CLUE

A CHILD KHILD WE AN OVER-DOSE OF RUM—NO CLEE TO THE PARTIES WHO ADMINISTERED THE POSON.—Coroner Perry was called upon yesterday to hold an inquest upon the body of a little boy eight years of age, named Michael Mochan, who died suddenly at the residence of his parents, No. 87 Baxter street, from the effects of an overdose of liquor, administered to him by some parties unknown. From the evidence adduced before the Coroner, it appeared that the deceased lett his mother's house about 3 o'clock on Wednesday afternoon, in company with some of his companions, boys about his own age, and that, in a short time afterwards they found him lying inscanible at the foot of the stairs. The deceased appeared to have been stupilled with liquor, and afthough every effort was made to resuscitate him, still he continued in this lethargic state until 2 o'clock yesterday morning, when he expired. Every effort was made by the Coroner to ascertain who the parties were that gave the liquor to the unfortunate child, but without avail. The case was given to the jury without any inther testimony, when a verticit of "Death from an over-doso of liquor, administed by some persons unknown to the jury, was rendered.

Fatal Resear of Burns.—Coroner Hills held an inquest upon the body of a female child, three years of age,

med Anne Branby, who died from the effects of severe named Anne Branby, who died from the effects of severe burns, received at the residence of her parents, No. 23 Mulberry street, yesterday morning. The poor little suf-ferer was playing around the stove with a piece of lighted paper in her hands, when her clothes ignited, burning her in a dreadful manner. The jury in this case rendered a verdict of "Death from accidental burns."

FIGUR IN CANAL STREET .- About half-past eight o'clock last night, a fire was discovered in the cabinet shop of last night, a fire was discovered in the cabinet shop of Timothy G. Sellew, on the second floor of No. 12 Canal street. The dremen were promptly on the spot and soon extinguished the flames. Damige to stock about \$50; supposed to be covered by insurance. The building be longs to ex-Alderman Baird. It is damaged about \$50 and insure tor \$1,000 in the Stuyesant and \$1,000 in the St. Khoolas Insurance Companies.

Fine in Wooster Struct.—About half past 9 o'clock on Wednesday night a fire was discovered in the drying room tracked, to the Levillary telescent wantscher. No. 80

attached to the Lorillard tobacco manufactory, No. 69
Wooster street, rear. The fire originated, it is supplied, from the fine. Damage to snuff about \$500-fully insured.

Fine in Tente Avenue.-About seven o'clock on Tues sixth and Thirty-seventh streets, in the Tenth avenue sixth and Thirty-seventh streets, in the Tenth avenue, occupied by several women and chlidren. The fire originated from the carelessness of one of the women, in acting fire to some shavings around the stave. Two of the women were grossly in oxicated, and before they were extricated their ciothing took fire, burning them severely. The children escaped without injury. The shanty belonged to Patrick Kenna; it was totally destroyed; loss about \$20.

First in Nexts Alexand.—About seven o'clock on Tuesday night, a fire originated in the window of the dry

day night, a fire originated in the window of the dry goods store of Pargburn & Candie, No. 100 Ninth avenue, caused by the goods taking fire from the gas burners; loss about \$50; fully insured.

FIRE IN TRING AVENUE.—About 7 o'clock yesterday morn-

ing a fire was discovered in the boot and shoe store of Martin & Taggert, No. 270 Third avenue. It originated in the back part of the store, around the mantelpiece. Loss about \$150. Insured in the Columbia Fire Insurance Company for \$2,000.

Jersey City News. School Arvans.—The Superintendent of Schools in Jersey City has reported the number of pupils in the

1,226 Total......2,075

Acommittee, consisting of Messars. Slater, Farker and Barnes, of the Board of Education, and the School Super-intendent, have in consideration the subject of establishing normal schools in Jersey City.

The Committee an Buildings of the Board of Education have been instructed to confer with the Committee on schools of the Common Council relative to the erection of a public school building in the Third ward of Jersey City.

THE COURS. -- On Wednesday the Hudson county courts were adjourned over until next Monday, when Judge Ogden will pronounce sentence upon those convicted at this term who have not been sentenced, and will give his decision in cases which have been agried during the present term. The criminal calendar is through with, and the civil calendar has been disposed of for the term. None of the recently tried cases have been of general interest. The noxt term of the court will commence in the second week of April.

Theatres and Exhibitions.

Theatres and Exhibitions.

Broadway Theatres.—The spectacular extravagance of "King Charming," and the second act of the great scenic piece entitled "The Sea of ice," will constitute the dramatic performances this evening. This being the last night on which these beautiful plays will be produced, the admirers of gorgeous scenery and wonderful mechanical effects should not miss the present opportunity of seeing them.

Nouce's Carmen.—The Ravels will open the amusements this evening in the annusing pantomine styled "Jocko, the Brazilian Ape." M're Robert, M. Erillant and other favorite members of the ballet corps follow in the new divertissement called "Les Abelles," which is an unusually brilliant affair. The pantonime of "Kinka"—Francois in a very comical character—will close the entertainments.

Bowent Theatris.—Mr. and Mrs. Ward, Mr. and Mrs. Griffiths, Messrs. Winnas, Lamb, Barry and Fitzgerald, Misses Denvil, Alford and Denham, and other leading members of the company, together with the sagacious from the immense audiences who nightly fill the Bowery to witness the great supernatural spectacle of "Horne, the Hunter, or the Demon Horseman."

Borros's Todarsk —Shakepere's great comedy of the Winter's Tale" will be repeated this evening. New scenery, costumes, appointments, &c., have been prepared, an overture composed, and music expressly arranged to give proper effect to the comedy. The east embraces the names of Messrs. Burton, Perry, Reynolds, Bradley, Lefting well and Palaford; Mesdames Parker, Hughes and Praces," will be performed this evening that the d'Maska and Praces," will be performed this evening

braces the names of Messrs. Burton, Perry, Reynoids, Hadley, Leffingwell and Rainford; Meschames Parker, Hughes and Breisford, Miss Thorne and others.

LAURA KERNE's VARIETIES.—The favorite comedy entitled "Masks and Paoes," will be performed this evening in accordance with the demand of numerous patrons of this house for its repetition. Miss Keene will sustain her great part of Peg Wolfington, supported by Miss Reignoids, Mrs. Hough, Mrs. Carpentor, Messrs. Jordon, Johnston, Baes, and other talented members of the company. The entertainments close with "A Loan of a Lover"—Miss Resaile Durand as Gertrude, and Mr. Johnston as Feier Epyle.

WAHLACE'S TREATON.—Fourcicanth's popular comedy of "Love and Money," as especially arranged by the author for this house, and with most of the performers in the characters originally assigned them, will be performed for the last time this evening. The entertainments will conclude with Mr. Brougham's extraordinary burlesque entitled "Oreo hon-tas"—the author as Powha-tan, Mr. Walcot as John South, and Miss Hodson as the Gentle Savage.

Mananway Varings.—The pretty speciacle of the Natled Queen," is stall played to the admiration of crowded authoness at this nest and comfortable Hitle theatre. Masters George and Checkene, Misses Mary Marsh, Louise Carrie, and other talented juveniles composing the Wood and Marsh troupe, ret der their various parts in capital style, and are deservedly rewarded by the onthusiande plaudits of the spectators.

Wiene's Mossrous have the satisfaction of performing them of the proceeded by songs, danoes, &c., to-night.

Becantr's Southardows tender a very fine selection of songs, &c., for to-night, including the new song called "The Use?" Their contertainments wind up with the auccessful cyeratic burlesque of "Sounambula."

Chura and Jaran.—Those desirous of informing themselves with regard to these comparatively unknown countries, and the curious habits and enstons of shelr people, should not forget the panoramic Hughestons on exhibition at Carles wit

ALABAM INOW NOTHING STATE CONVENTION.

The Know Nothing State Convention of Alabams met in Monigonery on the 4th inst., and after selecting Presidential electors and delegates to the national convention, whe, however, will not meet in Fhiladelphia on the 22d, adopted the following platform:

The delegates of the American party of Alabams, inconvention here assembled, do hereby resulfirm the doctrines and principles set forth in the resolutions adopted by the State Cunnell of the American party of Alabams, at an extra season of the council, held in the city of Montgomery on the 13th day of November, 1805. And, in addition thereto, we present the following, as embodying the views of this convention on the subjects to which they relate:

1. Resolved, That as the institution of slavery existed in the States of the consideracy prior to the adoption of the constitution of the United States, and as the right to hold slaves, as property, was conceded by the framers of the constitution and fully recognized therein, therefore alavery exists independently of the constitution; and fully recognized therein, therefore alavery exists independently of the constitution; and fully recognized the subject of alavery, except for its protection where it legally exists, that the ferritories are the common property of all the States, and, therefore, the people of all the States have the right to enter upon and occupy any Tecritory with their slawes, as well as other property, and are protected by the constitution and fing of the country, teat Congress has no right to legislate slavery into, nor exclude it from a Territory, and that neither Congress nor a Territorial Legislature has any right or power to legislate on the subject, except so lar as may be necessary to protect the clisses of the Territory, legisly assembled under the constitution and find the constitution and second property in the possession and colors and the subject, except so lar as may be meessary to protect the clistes of the Territory, legisles show the first of th

BLACK REPUBLICANISM IN AMHERST COLLEGE. At a meeting of the members of Amberst College, held February 2, 1856, the following preamble and resolutions

At a meeting of the members of Annarat College, held February 2, 1856, the following pressible and resolutions were unanimously adopted:

Whereas, we teel an honest solicitude in the firmer establishment of those principles of freedom and justice inseparable from our national existence and well being, and can but look upon the present struggle for Speaker in the Hones of Representatives with deep concern, as involving not only important questions of public policy, but also the vital interests of our common hamanity; therefore,

Resolved, That we hereby express our cordial approvat of the course pursued by those members of the florase who have hitherto so unlimehingly and nobly supported Mr. Batks, and sincerely trust that their position will not be yielded short of ultimate success.

Resolved, That we are, without fanaticless, earnestly opposed to every form of slavery extension, and conficently hope for the receal, during the present session, of the Kansas-Nebraks bill, as a virtual infraction of the spirit of the constitution.

Resolved, That a copy of these resolutions be transmitted to the representative from this district, and that he be requested to lay them before the anti-Nebraska members of the Hones.

In behalf of the college.

E. N. Goodwin, B. H. Abbott, W. C. Collac, Alf. A. Elleworth, Committee.

Legislature of Texas.

THE RUSE AND HOUSTON BESOLUTION.

The Legislature of Texas adjourned on the 31st ulc., but will meet again for an extra session in July. The

The legislature of Texas adjourned on the 31st alc., but will meet again for an extra session in July. The committee appointed by the State Senate to report upon the Houre resolution concerning Senator Houston have made the following report:—

Committee Room, Jan. 22, 1856.

To the Hox. H. R. Rusker, presidency of the Senate:—

The Committee on State Affairs, to which was referred a joint resolution passed by the liouse of Representatives approving the vote of the Hon. T. J. Resk, and eisapproving that of the Hon. Sam Houston, in the United States Senate, upon the Nebraska and Ransas bill, have instructed me to report the said resolution back to the Senate, and recommend its passage without amendment. The course pursued by General Rusk on that occasion was patriotic, mair, true to the constitution, the rights of the State he represented, and to the South, and unaffected by any ambitions aims for the Presidency, which seems, unfortunately, of late to have induced some southern statesmen to sacrifice the interest of the South to rampent abolition, and trusting to the blind confidence of their own constituents to betray them. For his noble course, for Rusk deserves the fullest and highest approval of this State.

On the other hand, the committee have found no justification for the course pursued by Gen. Houston, either in the reasons given by himself or his defaulers. The joint reaccution, as passed by the House of Representatives, in the expression of disapproval of his course, is very mild. It is a milder robust than probably was ever before administered to a public servant under like circumstances. Recause his name is interworn with the gionous struggle of this country for the achievement and waintenance of its independence, we are induced to present this moderation.

EDWARD R. HORD, Chairman.

An Elopement in Hilliets.

[Correspondence of the Chicago Press]

Torros, Ill., Jan. 30, 1856.

There has been the most intense excitement in our neighborhood the past week, occasioned by the elepement of M. Moncrief, Jeq., a married man, with the wife of Wm. Rose, Isq., on the 22d irst. The guity parties both resided here.

Mr. Moncrief has epjoyed, until the past season, the almost universal contidence of our community, as a man of correct principles and as a gonleman. Such has been the confidence reposed in him that for several years past he has held the office of magistrate and other offices, and last fall was the cemocratic nomines for representative to the Star e Legislature for this and Fooria county, and an ahead of his telect. No one trusted in him more implicitly as a man of honor and a gentleman than the injured husband. Mr. Rose was, up to the hour of this maccountable clopement, a warm and unsuspecting riced of Mr. M. and had stood by him as such willoo bers were a bandoning him. Both were Masons, Koncrief being master of the loage here at the time of this calamitous affair, and Mr. Rose holding an effice in the same lodge.

Moncrief leaves behind him a wife of irrepreachable character, a woman deserving of the best of husbands, and a lovely, interesting boy. The deserted wife is nearly frantic with grief. She is left here alone among atrangers, but amid those who will de all that is possible to relieve her in her affliction.

Mrs. Rose was a lady of fine personal appearance, of a good family, and at the time of the elopement a member of the Raphist church. Her husband is one of our most worthy citizens, esteemed by all who know him. He was kind and indugent to his wife, too much so for the prood, refractory woman who has so bosely deserted him.

Mrs. Rose loft three interesting girls, worse than motherless, She took with her a little boy. The fasther and his friends are in hot pursuit of the guilty parties, with the hope of recovering the child.

Mrs. Rose loft is either behind for her stater, in

Marine Court.

Before Hon. Judge Thompson.

ACTION FOR CARELESS DRIVINGFeb. 14—4ptc vt. Andrews.—This was an action for injuries occasioned be one of the defendant's lice of omnibuses running scainst, and upsetting the plaintiff wagon, and throwing the plaintiff into the street, in Fulton, between Broadway and Nassau street—the wheels of the wagon passing over the breast of the plaintiff, who was confined to his bed for several days after. Verdiet for plaintiff, \$115.